



Petitioner: 4B Investments, LLC
Property Owner: 4B Investments, LLC
Agent: W. James Gooding III, Gooding & Batsel, PLLC
Project Planner: Emily W. Johnson, AICP
Land Use Policy: Delete Future Land Use Element Policy 18.3 relating to development conditions adopted as a result of a previous Future Land Use Map (FLUM) Amendment (Ordinance No. 5580; LUC06-0002).
Zoning: R-1A, Single-Family Residential & INST, Institutional
Future Land Use: Low Intensity

Parcel Information

Acres: ±9.84 acres
 Parcel(s)#: 26490-000-00 and 26490-001-00
 Location: 2015 NE 14th Street and the parcel directly to the east.
 Existing use: Undeveloped
 Overlay(s): East Ocala Community Redevelopment Area (CRA)

Adjacent Land

<u>Direction</u>	<u>Future Land Use</u>	<u>Zone</u>	<u>Current Use</u>
North	Low Intensity	R-1A – Single-Family Residential	Undeveloped
East	Low Intensity	RO – Residential-Office	Single-Family Residential
South	Low Intensity	RO – Residential-Office	Offices – Wedgewood Condominiums
	Neighborhood	R-1A – Single-Family Residential	Single-Family Residential
West	Low Intensity	INST – Institutional	Undeveloped
	Low Intensity	B-2 – Community Business	Commercial

Background:

The subject properties, identified by Parcel Identification Numbers 26490-000-00 and 26490-001-00, contain an approximate 9.84 acres, and are generally located north of Northeast 14th Street (also known as SR 492 and Bonnie Heath Boulevard), between Northeast 19th Avenue and Northeast 22nd Avenue. More specifically, the properties are located within the 2000 Block of NE 14th Street; with PID No. 26490-000-00 having been previously assigned an address of 2015 NE 14th Street, and PID No. 26490-

001-00 being the parcel located directly to the east thereof. The subject properties are located within the East Ocala Community Redevelopment Area (CRA). Both parcels are currently vacant and undeveloped. A third adjacent property, identified by PID No. 26491-001-00, is under common ownership and has frontage on Northeast 19th Avenue, but is not subject to the application.

On October 25, 2006, the City Council adopted a Future Land Use Map (FLUM) Amendment LUC06-0002 by Ordinance No. 5579, which changed the future land use of the subject properties from Low Density Residential and Public Buildings and Facilities to Medium Density Residential. Future Land Use Element Policy 18.3 was adopted by Ordinance No. 5580 in association with LUC06-0002 and imposed the following development conditions on the subject properties:

1. Development on the Amendment area shall not exceed 12 units per acre, with the dwelling unit type being restricted to those allowed under the Low Density Residential Future Land Use Classification;
2. The property shall be developed as a PD to address density, site design, architectural characteristics, buffers around the entire site and access along both frontages;
3. The development must provide secured access connection, to and from NE 19th Avenue;
4. Prior to final development approval, the property owner/developer will be required to submit a traffic analysis that is consistent with the City's Traffic Study Guidelines and Concurrency Management System requirements; and
5. The property owner/developer will be required to provide all necessary traffic improvements as determined by the traffic analysis, or provide (as to required improvements for which proportional share payments would be applicable by the City's Code of Ordinances) required proportionate share contribution payments.

On January 22, 2013, the City Council adopted Comprehensive Plan Amendments consistent with the 2035 Vision, which eliminated the Medium Density Residential and Low Density Residential Future Land Use Classifications; the subject properties are currently designated as Low Intensity.

The current request is to delete the policy and associated development conditions, in order to allow for the subject properties to be developed in a manner consistent with the present Low Intensity future land use designation. The maximum development potential of this site with the requested deletion of the future land use policy is 177 dwellings, 59 more than is presently permitted. Additionally, apartments are presently prohibited via the Policy's condition that dwelling unit types be restricted to those allowed under the Low Density Residential Future Land Use Classification; this Classification exclusively allowed for detached and attached single-family houses, duplexes, townhouses and mobile homes. Deletion of the Policy would allow for development of apartment dwellings on the subject properties.

During a recent visit to the subject property, staff ascertained that the site slopes towards Northeast 14th Street. Due to the flow of stormwater runoff, development of the site with mixed or multi-family uses will necessitate rezoning and design as a Planned Development (PD); a multi-family residential (R-3) zoning district would not allow for drainage retention in the front yard. The remainder of the development conditions would be addressed as part of the City's development review process, as indicated in the Justification Table provided by the Petitioner's Agent (Attachment "A").

Staff Recommendation: <i>Approval</i>
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Basis for Approval:

The proposed deletion of the future land use Policy would allow for future development consistent with the Low Intensity future land use designation and compatible with the surrounding area.

Factual Support:

1. Consistent with the following Objective and Policies of the City of Ocala Future Land Use Element:
 - a. Objective 12: The Future Land Use Element shall require efficient use of existing services, facilities and infrastructure to discourage urban sprawl and promote a clustered urban development pattern.
 - b. Policy 6.3: Low Intensity. The intent of the Low Intensity land use classification is to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity / Central Code and Medium Intensity / Special District districts. Low Intensity may contain a single use. Mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial shall only be allowable in designated locations as specified in the Land Development Code and must meet the intent of the Low Intensity category, including form and design guidelines as applicable. It is also the intent of this category to promote a walkable suburban form. The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 FAR. The maximum density and intensity is 18 dwelling units per acre or 0.75 FAR.
2. Approval of this request will not adversely affect the health, safety, convenience, prosperity, or general welfare of the community.

Level of Service Impact Analysis:

Transportation:

The subject properties have frontage along Northeast 14th Street (also known as SR 492 and Bonnie Heath Boulevard), the congestion management data for the affected roadway is provided below¹; a third adjacent parcel under common ownership offers frontage and an opportunity for access on Northeast 19th Avenue but is not subject to the application. Developments proposing to generate 100 or more peak hour trips are required to submit a traffic study as part of the site plan review.

Road/Street Name	Lanes	Speed Limit	Functional Classification	Adopted LOS	LOS Capacity	2021 AADT	Existing LOS
SR 492	4	45 MPH	Arterial	D	39,800	20,200	C

Electric: The subject properties are within the Ocala Electric Utility service territory.

Internet: Service is available. A City fiber optic cable runs along NE 14th Street in front of the subject properties.

Potable Water: Service is available. A City water main runs along NE 14th Street in front of the subject properties and provides service from Water Treatment Plant (WTP) #1. WTP #1 has a permitted capacity of 24.42 million gallons per day (mgd), and a total maximum daily flow of 15.670 mgd. Connections will be determined during the site plan or subdivision review and approval process.

¹ Ocala-Marion TPO, *Congestion Management Plan Roadway Database*, October 2021.

Sanitary Sewer: Service is available. A City gravity main runs along NE 14th Street in front of the subject properties and provides service from Water Reclamation Facility (WRF) #2. WRF #2 has a permitted capacity of 6.5 mgd. Connections will be determined during the site plan or subdivision review and approval process.

Stormwater: The subject properties are not located within a Flood Zone. For any future development, runoff must be retained on-site to match pre-development conditions. Facilities must be designed to provide flood protection for a 100 year, 24-hour storm event.²

Solid Waste: Service is available.

Fire Service: Ocala Fire Rescue Station #5 is located approximately 0.76 miles from the subject properties, at 2340 NE 25th Avenue.

Schools: The subject property is serviced by Wyomina Park Elementary (operating at 94.13% capacity), Ft. King Middle (81.61%) and Vanguard High Schools (84.98%).³ The applicant has not provided insight into the future development intentions for the subject properties; however, deletion of the Policy may generate between 9 and 17 additional Elementary School-aged students, between 3 and 6 additional Middle School-aged students, and between 2 and 8 additional High School-aged students.⁴

School Level	SFR Student Generation Rate	Project Dwelling Units (SFR)		MFR Student Generation Rate	Project Dwelling Units (MFR)	
		118 (max 12 d.u. / ac)	177 (max 18 d.u. / ac)		118 (max 12 d.u. / ac)	177 (max 18 d.u. / ac)
E	0.158	18	27	0.097	0	17
M	0.097	11	17	0.04	4	7
H	0.13	15	23	0.043	5	7

Land Use Designation

Low Intensity. The intent of the Low Intensity land use classification is to identify areas that are generally oriented towards the automobile as the primary mode of transportation, with pedestrian circulation and activity being generally less than High Intensity/Central Core and Medium Intensity/Special District districts. It is also the intent of this category to promote a walkable suburban form. While Low Intensity developments may contain a single use, mixed use development is encouraged. Permitted uses include office, commercial, public, recreation, institutional, educational facilities and residential. Light industrial uses shall only be allowable in designated locations as specified in the Land Development Code, and must meet the intent of the Low Intensity category. The minimum density and intensity in this future land use category is 3 dwelling units per gross acre or 0.00 Floor Area Ratio (FAR). The maximum density and intensity is 18 dwelling units per acre, or 0.75 FAR. Increased density and intensity incentives may be approved for inclusion of workforce housing, green building and sustainable design standards.

² Ocala Comprehensive Plan, Stormwater Sub-Element Policy 3.1.

³ MCPS SY2022-2023 Membership by Grade, Summary Table – 160th Day.

⁴ MCPS Planning & Governmental Relations Department, Student Generation Multipliers.

Attachment “A” – Justification Table

CURRENT TEXT	JUSTIFICATION FOR DELETION
<p>1. Development on the Amendment area shall not exceed 12 units per acre, with the dwelling unit type being restricted to those allowed under the Low Density Residential Future Land Use Classification;</p>	<p>The Policy was adopted in connection with a Comprehensive Plan Amendment that assigned the Property a Medium Density Residential FLU designation; such designation, which no longer exists, permitted Residential Densities of up to 12 units per acre. Rather, the property has a Low Intensity which caps density at 18 units per acre. This is the lowest density under the City of Ocala Comprehensive Plan.</p> <p>The language limiting the “dwelling type unit” to those allowed in the (now defunct) Low Density Residential FLU permitted “dwelling types include detached and attached single family houses, duplexes, townhouses and mobile homes.” It was apparently designed to prohibit apartments which were permitted under the Medium Residential FLU. It would be almost impossible to construct 18 units per acre (as permitted by the Low Intensity FLU) without apartments.</p>
<p>2. The property shall be developed as a PD to address density, site design, architectural characteristics, buffers around the entire site and access along both frontages;</p>	<p>As can be seen by the attached Zoning Map, the two parcels have different zoning classifications, one of which being INST. Therefore, a rezoning will be required. If the City believes that a PUD zoning is required at that time, it can so indicate at that stage.</p>
<p>3. The development must provide secured access connection, to and from NE 19th Avenue;</p>	<p>The third parcel that is not subject to the Policy provides this access.</p>
<p>4. Prior to final development approval, the property owner/developer will be required to submit a traffic analysis that is consistent with the City’s Traffic Study Guidelines and Concurrency Management System requirements; and</p>	<p>This is already required by the City Code.</p>
<p>5. The property owner/developer will be required to provide all necessary traffic improvements as determined by the traffic analysis, or provide (as to required improvements for which proportional share payments would be applicable by the City’s Code of Ordinances) required proportionate share contribution payments.</p>	<p>This is already required by the City Code.</p>